

REMARKS/ARGUMENTS

Claims 16 and 17 are currently pending. Claim 16 has been amended to incorporate limitations from claims 18, 23, and 26. As a result, claims 18 and 23-27 have been cancelled. Claim 16 has been further amended to define the Noack number of the claimed oligomers, support for which is provided at page 4, line 8.

Double Patenting

Applicants are providing herewith a terminal disclaimer to address the obviousness type double patenting rejection over U.S. Pat. No. 6,395,948.

Claim Objections

Claim 16 has been rewritten in independent form as suggested by the Examiner. Claim 27 has been deleted, and thus objection thereto is now moot.

§ 102 Rejections

Claim 16 has been amended to incorporate the limitation of claim 18, and claim 18 has been cancelled. Given that claim 18 was not anticipated under section 102, amended claim 16 (incorporating the limitation of cancelled claim 18) likewise is not anticipated, nor is claim 17 depending there from anticipated.

§ 103 Rejections

Amended claim 16 (having incorporated the limitation of cancelled claim 18) stands rejected under 35 U.S.C. 103(a) as obvious over Wu (4,827,064). Applicants respectfully submit that Wu does not establish a prima facie case of obviousness as to amended claim 16 because Wu does not teach or suggest all of the claim limitations. Specifically, Wu does not teach or suggest

the claimed oligomers (i) of 1-decene, 1-dodecene, or both having (ii) a viscosity of not less than 22 centistokes at 100°C, (iii) a pour point of less than -30°C, (iv) a Noack number of about less than or equal to 3, and (v) a dimer content of less than about 2 weight percent.

In the previous office action, the Examiner relied upon Wu as disclosing each of limitations (i), (ii), and (iii) individually, but not combined as currently claimed. Furthermore, as to limitation (v), the Examiner relied upon col. 4, line 63 through col. 5, line 13 and col. 6, lines 66-68 of Wu. Careful review of this text reveals that distillation was used to separate a dimer fraction and a trimer fraction from an oligomer mixture, which are not the same as Applicants' oligomers (i) of 1-decene, 1-dodecene, or both having (ii) a viscosity of not less than 22 centistokes at 100°C, (iii) a pour point of less than -30°C, (iv) a Noack number of about less than or equal to 3, and (v) a dimer content of less than about 2 weight percent.

Assuming for the sake of argument that the trimer fraction of Wu has less than about 2 weight percent dimer (thus meeting limitation (v)), such trimer fraction does not teach or suggest all of Applicants' other claim limitations (i)-(iv). As shown at col. 7, lines 9 and 10 of Wu, such trimer fraction has a viscosity of 3.91 centistokes at 100°C, in contrast to the claimed viscosity of not less than 22 centistokes at 100°C. Furthermore, Wu does not teach or suggest oligomers having low volatility reflected in limitation (iv) having a Noack number of about less than or equal to 3, as recited in amended claim 16. Oligomers having increased viscosity, low pour point, and low volatility are advantageous for synthetic lubricating oil base stocks. Applicants respectfully submit that Wu does not teach or suggest the combination of the limitations (i) – (v) as recited in claim 16, and thus ~~claims 16 and claim 17 depending there from~~ are not obvious over Wu.

CONCLUSION

Applicants respectfully submit that the present application as amended is in condition for allowance. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

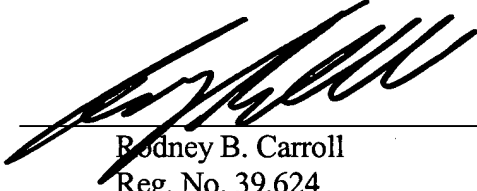
The Commissioner is hereby authorized to charge payment of any fee associated with any of the foregoing papers submitted herewith to Deposit Account No. 50-1515, Conley Rose, P.C.

Respectfully submitted,

CONLEY ROSE, P.C.

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